

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)

vs.)

CASE NO. 3:10-00260
JUDGE HAYNES

ABDIFITAH JAMA ADAN (1))
AHMAD ABNULNASIR AHMAD (3))
MUSSE AHMED ALI (6))
HASSAN AHMED DAHIR (7))
FADUMO MOHAMED FARAH (8))
IDRIS IBRAHIM FAHRA (9))
ABDULLAHI HASHI (11))
FATAH HAJI HASHI (12))
ABDIRAHMAN ABDIRAZAK HERSI (13))
ABDIFATAH BASHIR JAMA (16))
ANDREW KAYACHITH (17))
FUAD FAISAL NUR (21))
YASSIN ABDIRAHMAN YUSUF (29))

MOTION TO NOT DESIGNATE THE ALTERNATE JURORS AS
"ALTERNATE JURORS"

Comes now the above named defendants and hereby respectfully move
this Honorable Court to not designate the alternate jurors in this case as
"alternate jurors." The Court intends to select seven alternate jurors in this case.

(D.E. #1316) The seven alternate jurors should not be designated as "alternate jurors." Instead, the Court should seat nineteen total jurors who are all advised they are equally likely to be a part of the final deliberating jury in this case. At the end of the jury instructions given by the Court to the jury, the Court should randomly select seven jurors (assuming seven alternate jurors remain at the end of the jury instructions) to become alternate jurors at that time and to allow the